

MADISON COUNTY PLANNING DEPARTMENT

P.O. Box 278 • Virginia City, Montana 59755 • Phone (406) 843-5250 • Fax (406) 843-5229

MADISON COUNTY PLANNING BOARD MEETING MEETING MINUTES 03/06/2023

1. **Call to Order:** 6:01 p.m. by President Laurie Schmidt.

2. **Roll Call:**

Members Present: Laurie Schmidt, Pat Bradley, Rita Owens, Betsey Weltner and Darlene Tussing.

Members Virtual: John Stowe and Pat Jacobs

Members Absent: Steve Janzen and Tamara Millican-Wood

Staff Present: Michelle Schriock (Planning Clerk), Kristy Harper (Planner I), Connie Dedrick (Planner III) and Ryan Wolter (IT).

Others Present: Emilie Saylor, Glenn Patrick, Carol Patrick (LL Shaw Homestead) and Van Puckett

Others Virtual: Marina Smith, Marv Gibbs, Rick Kratt, Mitchell Powers, Carlos Ammerman, Scott McMahan, Jim Dawson, Gary Sigman, Brent Miller (Gaston Engineering), Dianna Ellis, Karen Giorgianni, Fran McNeill, Brenda Perkins, Steve Eckert, Stella Lorvan, Janet Carroll, Joseph Rattman, Curtis Sandau, Saeid/Ellice/Tom, Randy Arbogast, Tara DePuy, Samantha Arbogast, Ann and Bob Glasmann, Diane Haak, Sabine Cramer, Kate Rose (The Madisonian), Morgan Haak, David Six, Greg Villeneuve, Kaye Counts, and Brian Mason (applicant),

3. **Opportunity for Public Comment for items not on the agenda:**

Samantha Arbogast – read from page 33 of the Montana Planning Board Members Handbook, September 2020 version. “Act in the Public Interest”, she asked that the Planning Board’s decisions made in the public interest should consider, to the extent possible, future as well as current generations.

Saeid – asked that it be placed on record that he agrees with Samantha Arbogast’s statement.

4. **President’s Comments:** None.

5. **Statement of Conflict of Interest/Ex-Parte Communications:** None

6. **6:05 p.m. Continuation Mile Creek RV Park & Resort**

Schmidt read the Statement of Process: The review process is directed by state statute and procedural rulings; rules help guarantee the rights of all parties to be fairly heard and give the Board full opportunity to deliberate on the proposal.

Schmidt explained that the Planning Board public hearing on this preliminary plat occurred on November 28th and 29th of 2022 and concluded on January 30th, 2023 with our recommendation to the Board of County Commissioners. Public comment was closed on November 29th and remains closed. Today's hearing is only on new information received since then and previously missed public comment. We are only reviewing that, and taking public comment on that, to determine if any of this new information is material to our recommendation. She read each agenda item 1-10.

Public comment opened 6:07 p.m.

Schmidt reviewed written comments received to date:

Sigman – not new information and will be forwarded to the Madison County Commissioners for their review.

Letters from Parsons Behle & Latimer- may be discussed under 7, 8, and 9. as it clarifies process.

David Donohue (Hydro Solutions)– will be reviewed and considered under item #2.

Carol Patrick/LL Shaw Homestead – not new information and will be forwarded to the Madison County Commissioners for their review.

Mike Sanctuary/Confluence Consulting – not new information and will be forwarded to the Madison County Commissioners for their review.

USDA/Jason Brey letter-not new information and will be forwarded to the Madison County Commissioners for their review.

Diane Haak – not new information and will be forwarded to the Madison County Commissioners for their review.

Madison Valley matters newspaper article is considered opinion and will be forwarded to the Madison County Commissioners for their review.

Gallik, Bremer & Molloy, P.C. Email – not new information and will be forwarded to the Madison County Commissioners for their review.

Glen Patrick (LL Shaw Homestead) – Received certified letter from the Planning Department and asked what decisions were made. Schmidt – noted that it was recommended to be forwarded to the Madison County Commissioners for approval with 58 conditions for approval. Dedrick – Also noted that the new amended Conditions of Approval will be forwarded to the Madison County Commissioners.

Emilie Saylor (Madison County Public Health Director) received public comment from Dr. John Fountain and provided her with a letter to be read at the meeting regarding septic and sanitation. Schmidt – this letter will need to be forwarded to the Madison County Commissioners as these issues were dealt with during the January 30, 2023 meeting for Conditions of Approval and not new information.

Samantha Arbogast – stated that she is having trouble with the website and the new information that is being posted, she has a lot of doubt about the new information. The Steve Orr letter, is this person trained?

Steve Eckert – asked to address the board about Joe Brummell's letter regarding response time is not adequate. Schmidt – advised Eckert that one of the Conditions of Approval has EMS & sheriff response times required.

David Six – Pg. 19 of packet regarding the 2nd volunteer at the fire station. This seems to be a question as to how this position became 'all of sudden'.

Diane Haak – Referenced her email stating that it contained new information. Where is plat map? How large is the road? Schmidt – recommended for her to look at the Plat that is on record online. Bradley recommended Haak contact Dedrick if she is wanting more information as this forum is not the place to ask these questions, this is based on what is on the agenda. Haak asked about Gaston Engineering

handout. Why is asphalt being stored at the RV Park? Tara DePuy – this is not on the RV Park property it is on the adjacent gravel pit property.

Saeid – Conditions are according to facts? Feels like the Planning Board has an ‘we’ve already decided’ opinion Bradley – the conditions are based on facts not opinion. Saeid – Is not happy how meeting is being conducted. Schmidt – reminded him that the meeting is being conducted based on new information received and the agenda shows the items that will be addressed this evening.

6:40 p.m. Public Comment Closed

Schmidt directed the Planning Board to the agenda items:

A. Public Hearing on New Information – Public Comment Only on New Information

1. EMS Memorandum Dated 11/17/22- presented and dealt with.
2. Gaston Engineering Handout presented on 11/29/22 – presented and dealt with. New information doesn't change our recommendation.
3. Environmental Health Office revised review for Lot 2 dated 2/10/23. Schmidt – has every Planning Board member reviewed the letter? Planning Board – yes. Does this change our recommendation? Appendix #14, approval for water supply and sanitation approval. Bradley – the last statement ends on a positive note. Planning Board – this doesn't change our recommendations.
4. Letter from Assistant Fire Chief Mr. Orr dated 2/7/23 – Board agreed this doesn't change our recommendations.
5. Handout map of the Madison Valley Southwest Montana from a Planning Board Member – Board agreed it doesn't change our recommendations.
6. Madison County Weed Board Application Approval dated 3/23/22 – presented and dealt with.
7. Gaston Engineering has re-submitted the Preliminary Plat dated 6/8/22 - Doesn't change recommendations. Dedrick – Applicant is requesting 149 spaces. Schmidt – would recommend modifying our previous recommendation.

Discussion: Jacobs – Is this a correction of an error on documentation? Is there a calculation? Dedrick – explained how the different staff reports made that number become convoluted. Applicant's original request is for 149 spaces.

**MOTION TO UPDATE THE RECOMMENDATION TO REFLECT 149 SPACES BY TUSSING;
SECONDED BY OWENS. MOTION CARRIED UNANIMOUSLY.**

8. Gaston Engineering has submitted a revised Engineers Report date 2/10/23 - Jacobs – is there a change in the number of bath houses from 6 to 4? This will cause the fixture count to change. Dedrick – this will go to the State (MT DNRC) and the state would permit this, also the applicant would have to meet all of the requirements as mandated by the state. Van Puckett (Madison County Sanitarian) – this has been addressed in the Gaston Engineering Report. Brent Miller (Gaston Engineering) – They've met all regulations within the MCSR. DePuy – noted that Condition 11C it would need approved permitting by the State of Montana as applicable.

9. Gaston Engineering has submitted a revised Overall Development and Phasing Plan: DePuy – recommended changing the dates to reflect the timeline extensions, etc.

**MOTION TO CHANGE THE ODP DATES TO REFLECT TIMELINE EXTENSIONS. BY BRADLEY;
SECONDED BY TUSSING. MOTION CARRIED UNANIMOUSLY.**

10. Gaston Engineering has submitted new information in regards to Sanitary Information for Lot #2: Planning Board discussion, no changes to the original Findings of Fact and Conditions of Approval.

B. 7:07 p.m. Planning Board Consideration of Additional Public Comments

Exhibit #1 94-page document for comments not captured. Schmidt – has everyone had a chance to review these? Planning Board – Yes.

Schmidt – Our findings of fact, conditions and recommendation dealt with all relevant new information, which includes the suggestions from staff for: plat covenants, season of operation, water availability and quality, fire protection, an updated TIS, wastewater and sanitation, seismic activity, lighting and wildlife.

Bradley – Doesn't see any substantial changes.

C. 7:11 p.m. Planning Board Consideration of New or Amended Findings and Conditions of Approval Based on New Information and Additional Public Comments

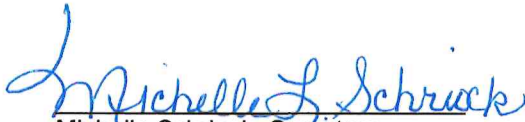
7:12 p.m. Planning Board discussion. Two motions were made and carried and will be forwarded to the Madison County Commissioners.

7. **Planning Board Member Reports:** None

8. **Adjournment**

The meeting was adjourned at 7:17 p.m.


Laurie Schmidt – President


Michelle Schriock, Secretary